

Appl. No. : 09/577,257
Filed : May 22, 2000

REMARKS

Applicant has the following remarks in response to the Office Action.

Discussion of Telephonic Interview

Applicant's attorney wishes to express his appreciation to the Examiner for the courtesy of conducting a telephonic interview for this application on September 15, 2003. During this interview, the Applicant and the Examiner discussed proposed claim amendments that if entered would appear to overcome the current cited art and that these changes would place the claims in condition for allowance. The Examiner indicated that he would need to confirm this upon review of the case. Applicant submits that he has amended the claims in conformance with this discussion.

Discussion of Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

In the Office Action, the Examiner rejected Claims 19, 20, 43, and 44 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Applicant respectfully submits that these defects have been corrected by the above-amendments.

Discussion of Claim Rejections Under 35 U.S.C. §§ 102(e) and 103(a)

In the Office Action, the Examiner rejected Claims 1, 3-6, 8-11, 13-17, 21, 24, 27, 30, 35, and 37 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,356,971, to Katz, et al. (hereinafter "Katz"). Claims 18-20, 33 and 34 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,393,430, to Van Ryzin. Claims 22, 25, 28, 31, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katz in view of U.S. Patent No. 6,377,530 to Burrows. Claims 23, 26, 29, 32, and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katz in view of Van Ryzin. Claims 39-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Ryzin in view of Burrows.

Claims 1, 6, 11, 16, 17, 35 and 39

One embodiment of Applicant's invention may be directed to a music player that executes on a computer. The music player may provide a region in a graphical user interface that

is customizable by a device driver for a music renderer, including but not limited to a portable MP3, music or video player or a device for burning optical diskettes. To provide support for new features that are developed with respect to such music renderers, the music player may include an application programming interface that allows a provider of the device driver for the music renderer to define and display new controls, control objects such as a button, in the music player.

In specific, Claim 1, as amended, recites: "executing a music player that displays a graphical interface comprising information about music items; and displaying a graphical interface including at least one customized control object for managing the music items, wherein the customized control object is provided by a device driver related to a music renderer, and wherein the displaying of the customized graphical interface is in response to an event occurring during the execution of the music player." Independent Claims 6, 11, 16, 17, 35, and 39 include similar types of limitations regarding the customization of an graphical user interface by a device driver.

Applicant respectfully submits that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *See* M.P.E.P. § 2131. Applicant respectfully submits that Katz does not expressly teach or suggest at least the above limitations.

Katz is generally directed to a system for managing a multimedia tracks on a computer and for controlling a disk changer that is connected to the computer. In Katz, a computer program (200) executes on a computer system (100). The computer program (200) includes an application program (210), a graphical user interface (210) a Component Object Model (COM) interface 260, a changer service 270, an IOCTL interface 280, and a device driver (290). *See* Katz, Figure 2 and col. 4, lines 42-46. In Katz, the device driver performs control of movement of the robotics in a disc changer device 120. *See* Katz, col. 4, 54-56. Furthermore, the device driver (290) supports carousel-type disc changer devices that allow the user to insert several CDs at once and report changes to the application program (210).

Applicant respectfully submits that Katz does not allow the device driver (290) to "customize" the format of the graphical user interface. In Katz, the device driver (290) would merely be user to retrieve track information from a compact disk and provide such information to the application program (210) which displays such information on the screen. Thus, Katz does not teach or suggest displaying a "customized control object." Although device driver (290) will

provide different data depending on the content of which compact diskette is being read, the device driver (290) cannot customize the controls of any graphical user interface that is shown on the display. Applicant respectfully submits that there is no teaching or suggestion in Katz to allow the device driver (290) to define user control objects, such a button or other control. In Katz, there is no teaching or suggestion of providing a flexible architecture for allowing device drivers to control the GUI of the application program (210).

Since Katz fails to teach or suggest at least the above-limitations, Applicant respectfully submits that independent Claims 1, 6, 11, 16 and 17 are in condition for allowance.

Claim 18

One embodiment of Applicant's invention is directed to a music player that provides an interface for a device driver to request a music player to halt playback. Advantageously, a device driver can inform the music player of its intentions. For example, the process of "burning" a compact diskette is very time intensive and if the process is interrupted, the resulting audio compact diskette becomes useless. Using a command interface, a CD-burning device driver can inform the music player that the CD burner is about to start a burn and that the music player should stop and disable playback of all music until the process is complete.

Independent Claim 18, as amended, recites: "executing a music player that plays music items upon a request from a user; receiving a request from a device driver for an optical diskette burner to disallow playback of the music items, wherein the request is received in response to receiving a request to burn a compact diskette; and suspending playback of the music items on the music player."

Applicant respectfully submits that these limitations are not taught or suggested by Van Ryzin. Van Ryzin generally describes a music player. Van Ryzin fails to teach or suggest providing support in a music player to allow a *device driver* to *control* the operation of a music player. Claim 18 recites that the request is received *from a device driver for an optical diskette burner*. Van Ryzin fails to teach or suggest providing a device driver that disallows playback of music items subsequent to receiving a request to burn a compact diskette. In Van Ryzin, there is no teaching or suggestion that it is not possible to play a compact diskette while burning a compact diskette.

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Claims 3-5, 8-10, 13-15, 19-34, 36-42, and 45

Since Claims 3-5, 8-10, 13-15, 19-34, 36-42 and 45 each depend on one of Claims 1, 6, 11, 18, 35 and 39, Applicant respectfully submits that these claims are allowable for at least the reasons discussed above and the subject matter of their own limitations.

Conclusion

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and the claims would satisfy the statutory requirements for patentability without the entry of such amendments. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

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